

DOCKET NO: C1104-7048.40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ihor Lys and George G. Mueller  
Serial No: 10/698,019  
Confirmation No: 7120  
Filed: October 30, 2003  
For: DATA DELIVERY TRACK  
Examiner: Not yet assigned  
Art Unit: ° 2821

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 10 day of December, 2004.

  
Jeanne W. Chub

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement and Form PTO 1449
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 50/2762. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Ihor Lys and George G. Mueller, Applicants*

By: 

Joseph Teja, Jr., Reg. No. 45,157  
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One Main Street  
Cambridge, MA 02142  
(617) 395-7000

Date: December 10, 2004



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Jeanne W. Chub

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

**PART III: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

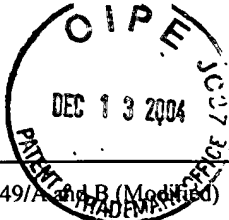
An early and favorable action is hereby requested.

Respectfully submitted,  
*Ihor Lys and George G. Mueller, Applicants*

By: 

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Joseph Teja, Jr., Reg. No. 45,157  
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Tel. (617) 395-7000

Date: December *16*, 2004



FORM PTO-1449/A (Modified)

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

APPLICATION NO.: 10/698,019

ATTY. DOCKET NO.: C1104-7048.40

FILING DATE: October 30, 2003

CONFIRMATION NO.: 7120

APPLICANT: Ihor Lys and George G. Mueller

GROUP ART UNIT: 2821

EXAMINER: Not yet assigned

Sheet 1 of 5

## **U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	*	Re. 36,030		Nadeau	01-05-1999
	*	3,561,719		Grindle	02-1971
	*	3,586,936		McLeroy	06-1971
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<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/698,019		ATTY. DOCKET NO.: C1104-7048.40	
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				APPLICANT: Ihor Lys and George G. Mueller			
				GROUP ART UNIT: 2821		EXAMINER: Not yet assigned	
Sheet	2	of	5				

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<b>FORM PTO-1449/A and B (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/698,019		ATTY. DOCKET NO.: C1104-7048.40	
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Sheet	3	of	5				

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#### FOREIGN PATENT DOCUMENTS

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		Office/ Country	Number	Kind Code			
	*	AU	6 267 9			12-30-1996	
	*	CA	2 178 432			12-08-1996	
	*	EP	0534 710	B1		01-17-1996	
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	*	WO	95/13498			05-18-1995	
	*	WO	96/41098			12-19-1996	
	*						

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	*	"M117/LM317A/LM317 3-Terminal Adjustable Regulator", National Semiconductor Corporation, May 1997, pp. 1-20.		
	*	"DS96177 RS-485 / RS-422 Differential Bus Repeater", National Semiconductor Corporation, February 1996, pp. 1-8.		
	*	"DS2003 / DA9667 / DS2004 High Current / Voltage Darlington Drivers", National Semiconductor Corporation, December 1995, pp. 1-8.		
	*	"LM140A / LM140/LM340A/LM7800C Series 3- Terminal Positive Regulators", National Semiconductor Corporation, January 1995, pp. 1-14.		
	*	High End Systems, Inc., Trackspot User Manual, August 1997, Excerpts (Cover, Title page, pp. ii through iii and 2-13 through 2-14)		
	*	Artistic License, AL4000 DMX512 Processors, Revision 3.4, June 2000, Excerpts (Cover, pp. 7,92 through 102)		
	*	Artistic License, Miscellaneous Drawings (3 sheets) January 12, 1995.		
	*	Artistic License, Miscellaneous Documents (2 sheets February 1995 and April 1996).		
	*	Case No. 6:02-cv-270-ORL-19JGG in the United States District Court, Middle District of Florida, Orlando Division, Plaintiff's Amended Verified Complaint		
	*	Case No. 6:02-cv-270-ORL-19JGG in the United States District Court, Middle District of Florida, Orlando Division, Defendant's Answer and Counterclaims		
	*			

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Sheet	5	of	5				

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

	*	Case No. 6:02-cv-270-ORL-19JGG in the United States District Court, Middle District of Florida, Orlando Division, Plaintiff's Answer to Counterclaims		
	*			
	*	Case No. 6:02-cv-270-ORL-19JGG in the United States District Court, Middle District of Florida, Orlando Division, Plaintiff's Answers to Defendant's First Set of Interrogatories w/Exhibit 1		
	*			
	*	Case No. 02 CV 11137MEL in the United States District Court, District of Massachusetts, Plaintiff's Complaint and Jury Demand		
	*			
	*	Case No. 02 CV 11137MEL in the United States District Court, District of Massachusetts, Defendant's Answer and Affirmative Defenses		
	*			

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided because it was previously cited by or submitted to the office in a prior application, Serial No. 09/213,540, filed 12/17/1998 (now U.S. Patent No. 6,720,745 B1), and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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